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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/099,710
Filing Date: March 14, 2002
Appellant(s): LIN ET AL.

Jorge Tony Villabon
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 15 January 2009 appealing from the
Office action mailed 26 June 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6487642	Duruoz et al	11-2002
5978855	Metz et al	11-1999
WO 6913121	McLaren	5-1996

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4, 8-12, 14, and 18-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Duruoz et al (6,487,642).

Regarding claims 1-2, 9, 11-12, and 19, Duruoz et al disclose a method and system for performing a trick mode on a video signal comprising:

- receiving a trick mode command (Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in

- DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines");
- in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal, wherein the picture contains a display indicator (Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps" and Col 15, lines 13-16 "a repeat value identified in the "slow forward" exclusive command is stored into the memory of the ASIC, for use in later determinations of the speed at which the slow forward processing should proceed");
 - setting the display indicator of the picture being repeated to a predetermined value (Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e. each frame is repeatedly displayed ten times"); and
 - setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value (Fig. 13D step 367 "Set Repeat Counter = Repeat Value").
 - wherein the trick mode is a freeze mode (Col 7, lines 31-32 "The pause state 96 causes a current frame to be repeatedly displayed")

Regarding claims 4 and 14, Duruo et al disclose a method and system wherein the display indicator is set as a temporal reference field having an integer value (Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which

defaults to 1/10, i.e. each frame is repeatedly displayed ten times”).

Regarding claims 8, 10, 18, and 20, Duruo et al disclose a method and system comprising implementing the receiving, repeating and both setting steps at a first location (Col 2, lines 32 “This command manager receives commands from the host” and Col 8, lines 7-8 “these internal commands include...video repeat frame” and Col 15, lines 13-14 “a repeat value identified in the ‘slow forward exclusive command is stored into the memory” – these functions are performed by the command manager) and decoding at least a portion of the trick mode video signal at a second location (Col 8, lines 9-13 “These internal commands are not generated by the host processor 39 and are instead generated by the ASIC 11, e.g., during a synchronizing routine, to accomplish things such as allowing the audio and video decoding to synchronize”).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duruo et al.

Regarding claims 5 and 15, Duruo et al suggest a method and system wherein the transmission comprises at least a first reference picture and a second reference picture to predict the picture to be repeated (Col 11, line 29 “MPEG” which is known to contain multiple reference and predictive pictures), wherein each reference picture

contains a display indicator (Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e. each frame is repeatedly displayed ten times").

The Examiner takes official notice that MPEG is known to those of skill in the art to comprise multiple reference pictures and predictive pictures, as well as pictures that are both predicted and reference for other predicted pictures.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Duruoz et al in order to specify multiple predictive pictures for repetition in trick play modes.

5. Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duruoz et al as applied to claims above, and further in view of Metz et al (5,978,855).

Regarding claims 3 and 13, Duruoz et al suggest a method and system wherein a bi-directional predictive picture is an image that can be repeated (Col 11, line 29 "MPEG") and does not rule out the use of such a picture, but does not specifically disclose repeating of that bi-directional predictive picture.

Metz teaches the use of all frames as being available as still pictures (Col 45, lines 40-41 "all of the frames relate to a single freeze-frame image").

As suggested by Duruoz et al and taught by Metz, once a frame has been decoded, it is available for repetition in a slow trick play mode, removing the need to decode another frame when it is unnecessary.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a bi-directional predictive picture for repetition in a freeze-

frame trick-play mode.

6. Claims 6-7, and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Duruoz et al as applied to claims above, and further in view of McLaren (WO 96/13121).

Regarding claims 6, 7, 16, and 17, Duruoz et al disclose a method and system setting each of the display indicators as temporal reference fields having integer values (Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e. each frame is repeatedly displayed ten times"); but are silent regarding setting display indicators to various values.

McLaren teaches the setting of the display indicator of the second reference picture further comprises setting the integer value of the temporal reference field of the second reference picture an integer value higher than the integer value of the temporal reference field of the picture being repeatedly displayed during the trick mode to maintain a proper display order (Page 9, lines 34-37 "calculating the Presentation Time Stamp and Decode Time Stamp PTS/DTS values such that each TP I frame is presented the necessary number of frame times apart").

As suggested by Duruoz and taught by McLaren, a presentation of a given number of identical frames (still picture or slow playback) is easily accomplished by first presenting the original picture, followed by a number of identical copies of that picture. The number of copies must be less than the total number of pictures, as there is at least one original picture displayed.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time of the invention to present a smaller number of copies of the picture than the total number of pictures.

(10) Response to Argument

In re page 19, Appellant's Representative states: "The Appellant submits that it is the Examiner's misunderstanding of the Appellant's invention that is preventing the Appellant's claims from being allowed."

The Examiner respectfully notes that the Examiner's understanding of the Appellant's invention is based on the claims submitted, being read in light of the specification without including limitations of the specification into the claims that are not included therein. The Examiner further respectfully notes that no attempt was made to differentiate the cited prior art from the claims in previous amendments or requests for reconsideration by the Appellant's Representative.

In re pages 20 and 21, Appellant's Representative states: "it is very clear from at least the portions of the Appellant's Specification presented above that in the invention of the Appellant as claimed, the display indicator of a first picture to be repeated is set to a predetermined value to indicate a display order of the picture to be repeated."

The Examiner respectfully notes that the claim merely recites a setting of the display indicator of the picture being repeated to a predetermined value, and does not claim a display order.

In re pages 20 and 21 and claim 1, Appellant's Representative states: "there is absolutely no teaching, suggestion or disclosure in Duruoaz for a method, and systems

for performing a trick mode on a video signal including at least 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed by at least the Appellant's claim 1."

The Examiner respectfully disagrees. Duruoz explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e. each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 22 and claim 1, Appellant's Representative states: "Duruoz, teaches that a picture contains a display indicator and that a slow forward trick play is achieved by decrementing a counter for the repetitions of a frame to display between forward steps. That is, the Examiner concedes that Duruoz teaches where the number of times a frame is displayed is disclosed to be the reciprocal of the slow speed ratio and that as such the indicator is therefore clearly and explicitly set by the slow speed ratio."

The Examiner believes that the above statement confirms his assertion that the counter indicating number of times a frame is to be repeated during slow play is a display indicator, thereby meeting the broadly claimed "display indicator" of the Appellant.

In re page 23 and claim 1, Appellant's Representative states: "As clear above, Fig. 13D and step 367 of Duruoz teaches that the display indicators of subsequent pictures are also set to the same number as the first picture such that the subsequent pictures are repeated the same number of times as conceded by the Examiner."

The Examiner believes that the above statement confirms his assertion that the subsequent repeated pictures are also set to the predetermined value, thereby meeting the broadly claimed "display indicator" and "predetermined value" of the Appellant.

In re page 24 and claim 2, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 1 further limited by 'the step of executing a freeze trick mode' as recited in claim 2."

The Examiner respectfully disagrees. Duruoz explicitly discloses a freeze mode, understood by those of skill in the art to mean a single picture being displayed over a

period of time such that the picture must be repeated during the time of the mode, in Col 7, lines 31-32 "The pause state 96 causes a current frame to be repeatedly displayed." The pause state of Duruoz meets the claimed freeze trick mode of the Appellant. The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

Further in re page 24 and claim 2, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claim 1..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display

between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 25 and claim 4, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 1 further limited by 'setting the

display indicator as a temporal reference field having an integer value' as recited in claim 4."

The Examiner respectfully disagrees. Duruoz explicitly discloses setting the display indicator having an integer value in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10. i.e., each frame is repeatedly displayed ten times." The display indicator is clearly set to show the frame ten times, which makes it a temporal reference field, and ten is an integer. The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

Further in re page 25 and claim 4, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claim 1..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines"

clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 25 and claim 8, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 1 further limited by 'the step of decoding at least a portion of the trick mode video signal at a remote location' as recited in claim 8."

The Examiner respectfully disagrees. Duruoz explicitly discloses decoding the trick mode video signal at a broadly claimed "remote location" in Col 8, lines 9-13 "These internal commands are not generated by the host processor 39 and are instead generated by the ASIC 11, e.g., during a synchronizing routine, to accomplish things such as allowing the audio and video decoding to synchronize." The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

Further in re page 25 and claim 8, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claim 1..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the

command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where

the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 26 and claim 9, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least the Appellant's claim1 and as similarly claimed in the Appellant's independent claim 9..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 27 and claim 10, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 9 further limited by 'the step of decoding at least a portion of the trick mode video signal at a remote location' as recited in claim 10."

The Examiner respectfully disagrees. Duruoz explicitly discloses decoding the trick mode video signal at a broadly claimed "remote location" in Col 8, lines 9-13 "These internal commands are not generated by the host processor 39 and are instead generated by the ASIC 11, e.g., during a synchronizing routine, to accomplish things such as allowing the audio and video decoding to synchronize." The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

Further in re page 27 and claim 10, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claims 1 and 9..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick

lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 28 and claim 11, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on

a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least the Appellant's claims 1 and 9 and as similarly claimed in the Appellant's independent claim 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow

forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 28 and claim 12, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 11 further limited by 'wherein the trick mode is a freeze trick mode' as recited in claim 12."

The Examiner respectfully disagrees. Duruoz explicitly discloses a freeze trick mode in Col 7, lines 31-32 "The pause state 96 causes a current frame to be repeatedly displayed." The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

In re page 29 and claim 12, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a

picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claims 1, 9 and 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the

predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 29 and claim 14, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 11 further limited by 'wherein the display indicator is a temporal reference field having an integer value' as recited in claim 14."

The Examiner respectfully disagrees. Duruoz explicitly discloses setting the display indicator having an integer value in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10. i.e., each frame is repeatedly displayed ten times." The display indicator is clearly set to show the frame ten times, which makes it a temporal reference field, and ten is an integer. The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

Further in re page 29 and claim 14, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claims 1, 9 and 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the

example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 30 and claim 18, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 11 further limited by 'wherein at least a portion of the trick mode video signal is decoded by a remote decoder' as recited in claim 18."

The Examiner respectfully disagrees. Duruoz explicitly discloses decoding the trick mode video signal at a broadly claimed "remote location" in Col 8, lines 9-13 "These internal commands are not generated by the host processor 39 and are instead generated by the ASIC 11, e.g., during a synchronizing routine, to accomplish things such as allowing the audio and video decoding to synchronize." The Examiner also

notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

Further in re page 30 and claim 18, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claims 1, 9 and 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "Slow

Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re pages 30 and 31 and claim 19, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least

the Appellant's claims 1, 9 and 11 and as similarly claimed in the Appellant's independent claim 19..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not

claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 31 and claim 20, Appellant's Representative states: "Duruoz also fails to teach, suggest or anticipate the Appellant's claim 19 further limited by 'a remote decoder for decoding at least a portion of the trick mode video signal' as recited in claim 20."

The Examiner respectfully disagrees. Duruoz explicitly discloses decoding the trick mode video signal at a broadly claimed "remote location" in Col 8, lines 9-13 "These internal commands are not generated by the host processor 39 and are instead generated by the ASIC 11, e.g., during a synchronizing routine, to accomplish things such as allowing the audio and video decoding to synchronize." The Examiner also notes that the Appellant's Representative does not present any reasons he might have for arguing such a lack of disclosure by Duruoz.

In re page 32 and claim 20, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display

indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught by the Appellant's Specification and claimed in at least the Appellant's claims 1, 9 and 11 and as similarly claimed in the Appellant's independent claim 19..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal. Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the

predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re pages 33 and 34, and claims 5 and 15, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least the Appellant's claims¹ and claim 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently

invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where

the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re pages 35 and 36, and claims 3 and 13, Appellant's Representative states: "Duruoz fails to teach, suggest or anticipate 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed by at least the Appellant's claims¹ and claim 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each

frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 36 and claims 3 and 13, Appellant's Representative states: "Metz, however, absolutely fails to teach, suggest or make obvious 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed by at least the Appellant's independent claims."

The Examiner respectfully notes that he did not depend on the teachings of Metz to determine the novelty of the above mentioned limitations.

Further in re page 36 and claims 3 and 13, Appellant's Representative states: "Duruoz and Metz, alone or in any allowable combination, fail to teach, suggest or make obvious a method and system for performing a trick mode on a video signal including 'repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least the Appellant's claims 1 and claim 11."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "Slow

Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re pages 38 and 39, and claims 6, 7, 16 and 17, Appellant's Representative states: Duruoz fails to teach, suggest or anticipate at least a method and system of performing a trick mode on a video signal including at least 'in response to the trick mode command, repeating a picture in the video signal to form a trick mode video signal' and 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture

being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least the Appellant's claims 1 and 11..."

The Examiner respectfully disagrees. Duruoz explicitly discloses repeating a picture in the video signal to form a trick mode video signal in response to a trick mode command in Col 6, lines 43-46 "Trick play commands are processed by buffering the command in the trick play command buffer in DRAM and setting a flag to subsequently invoke the state transition handler 80 that calls upon trick play commands subroutines" clearly meets the claimed "in response to a trick mode command...to form a trick mode video signal." Col 7, lines 52-55 "The slow forward state 104 achieves slow forward trick lays by decrementing a counter for the number of repetitions of a frame to display between forward steps" clearly meets the claimed "repeating a picture in the video signal to form a trick mode video signal."

Duruoz also explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not

claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

In re page 39 and claims 6, 7, 16 and 17, Appellant's Representative states: "there is absolutely no teaching, suggestion or disclosure in McLaren for a method, and systems for performing a trick mode on a video signal including at least 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value' as taught in the Appellant's Specification and claimed by at least the Appellant's claim 1.

The Examiner respectfully notes that he did not depend on the teachings of McLaren to determine the novelty of the above mentioned limitations.

In re page 40 and claims 6, 7, 16 and 17, Appellant's Representative states: "Duruoz and McLaren, alone or in any allowable combination, fail to teach, suggest or make obvious a method and system for performing a trick mode on a video signal including 'setting the display indicator of the picture being repeated to a predetermined value' and 'setting the display indicators of subsequent repeated pictures of the picture

being repeated to the predetermined value' as taught in the Appellant's Specification and claimed in at least the Appellant's claims 1 and claim 11."

The Examiner respectfully disagrees. Duruoz explicitly meets the broadly claimed "setting the display indicator of the picture being repeated to a predetermined value" in Col 6, lines 56-58 "'Slow Forward' which plays at an adjustable slow speed, which defaults to 1/10, i.e., each frame is repeatedly displayed ten times," where the display indicator is set to ten in the example, and also in Col 7, lines 52-55: "The slow forward state 104 achieves slow forward trick plays by decrementing a counter for the number of repetitions of a frame to display between forward steps," where the counter is the display indicator, and the predetermined value is the original value of the counter. While the Examiner concedes that the display indicator of Duruoz is a different indicator than that argued by the Appellant's Representative, the actual indicator of the Appellant's invention is not claimed with adequate specificity to overcome the disclosure of the display indicator of Duruoz.

Further, Duruoz explicitly meets the broadly claimed "setting the display indicators of subsequent repeated pictures of the picture being repeated to the predetermined value" in Fig. 13D, step 367 "Set Repeat Counter = Repeat Value" where the display indicator is the repeat value and the repeated pictures are the pictures repeated in the slow forward play mode.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/James A. Fletcher/

Conferees:

/Thai Tran/

Supervisory Patent Examiner, Art Unit 2621

/Mehrdad Dastouri/

Supervisory Patent Examiner, Art Unit 2621